

VILLAGE OF BREWSTER
BOARD OF TRUSTEES
20 JUNE 2018
7:30 P.M.
PUBLIC HEARING &
REGULAR MEETING
MINUTES

The Board of Trustees of the Village of Brewster held a Public Hearing at 7:30 PM followed by a regular meeting at 7:50 P.M., on June 20, 2018 at Village Hall, 50 Main Street, Brewster, NY 10509.

Attendees:

Mayor:

Deputy Mayor and Trustee: Christine Piccini

Trustees; Mary Bryde, Tom Boissonnault, George Gaspar

Police Chief:

Village Engineer: Todd Atkinson

Village Counsel: Anthony Molé

Clerk & Treasurer: Peter Hansen

Deputy Clerk-Treasurer: Michelle Chiudina

Absent:

James Schoenig

John Del Gardo

Pledge to flag.

Notation of Exits

Public Hearing

To consider a request to amend Section 265-35(A) of the Village of Brewster Code for the following relief: (i) adding "Multifamily Dwelling Units" as one of the enumerated "Special Exception Uses" under Section 263-8(C)(11) of the Code; and (ii) amending the requirements of Section 263-8(D) of the Code for the PB District entitled "Height" to replace "35 feet" with "40 feet" and "2 ½ stories" with "3 stories for the PB District; and, under SEQRA Regulations, to determine whether the proposed legislative amendments would cause a significant negative impact(s) on the environment; said Public Hearing will be held at the Village Hall, 50 Main Street, Brewster, New York 10509.

This notice is used pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Action) of the Environmental Conservation Law.

All interested persons will be heard during the Public Hearing at the time and place aforementioned.

Deputy Mayor Piccini asks for a motion to open the meeting and the public hearing aspect of it, Trustee Gaspar so moves, Trustee Bryde 2nd all in favor 4 to 0. Deputy Mayor Piccini requests the applicant for the zoning amendment to provide an overview of the request for the benefit of the audience.

Michael Caruso, Attorney and Peder Scott, Engineer for the applicant explain the requested zoning change for 530 N. Main Street which is to allow multifamily as a special exception use in the Professional Business District (PB) limited to properties along North Main Street between Michael Neuner Street and Wells Street with a minimum of 20,000 sq. feet and slightly expanding the story count to three. Mr. Caruso says the goal is to enhance the quality of life and the neighborhood without any adverse impacts including access to the train station and recreation opportunities within easy walking distance. Mr. Caruso also identifies a letter submitted this evening to the Village Board regarding the Comprehensive Plan and potential revisions thereto. Applicant's engineer, Peder Scott says the restriction of 20,000 sf seemed apropos as parking requirements were a driver for lot size. There are handicapped spaces with direct accessibility to the building, sidewalks and park across the street. Mr. Caruso says the he believes the goals in the Comprehensive Plan are harmonious with this zoning amendment. These presentations are specific to the zone change request not to the project. Project application will be made pending these other prior approvals (zoning, special exception use, and comprehensive plan revision if needed).

Deputy Mayor Piccini invites public comment. No comments.

Deputy Mayor Piccini asks the Board members to offer their thoughts on the zone change. Trustee Gaspar says at first blush it seems a little out of character for the area but after more review it appears to be a good fit for the PB District as

a Special Exception Use. Trustee Gaspar says we still have to discuss the building area with regards to the site and the impervious surface coverage vs. open space for each unit. Trustee Gaspar says that we have discussed at length trying to locate the building toward the front of the property and locating the parking behind but this property is a difficult site to locate the parking behind due to the rise of the grade from North Main toward the back of the property. Trustee Bryde says that she agrees with Trustee Gaspar that it is more desirable to have parking in the rear. Mr. Scott says they are proposing a fence along the front that is taller than the vehicles to hide the parking from the street view and to provide an attractive buffer. Trustee Boissonnault says the gate seems to connote exclusivity and he is not sure that is desirable. Deputy Mayor Piccini says our Zoning Code allows Special Exception Use Permits with extensive lists of criteria that must be met in order to allow the use which then becomes an “as-of-right” property use available to any property that meets the listed criteria. Further limiting the Special Exception Use to a specific area and size in PB is also a consideration that might still offer development to parcels if they are combined. Deputy Mayor Piccini recaps for the audience what the Board is considering. The area, lot size, setbacks, parking, number of spaces, where parking is located, allowance for change, mitigation, lot coverage and what defines lot coverage, open space, FAR, are some of the topics the Board must address before moving forward. Trustee Gaspar agrees that we need to do this smartly. Trustee Gaspar says the Planning Board met last night and won’t have their recommendation to us until next week.

Deputy Mayor Piccini motions to keep the Public Hearing open until the next regular meeting on July 18, 2018, Trustee Boissonnault 2nd all in favor 4 to 0.

Regular Meeting

Deputy Mayor Piccini notes the meeting was opened at prior to the start of the Public Hearing.

1. Firemen’s annual parade permit application – Jim Delawder says the Parade will be on Thursday July 26, 2018 from 5:30 to 8:00 lining up on East Main Street from Marvin Avenue traveling west on Main Street to North Main Street and ending at Markel Park. Trustee Bryde motions to approve the parade permit application as described, waiving all fees, Trustee Gaspar 2nd all in favor 4 to 0.
2. Iglesia Fuente de Gracia parade permit application – Rich Skjerli represents the Church and says they are planning to close Marvin Avenue as they usually do each year. Trustee Gaspar motions to approve the application to close Marvin Avenue on August 5, 2018 from 9:00 A. M. to 9:00 P. M., Trustee Bryde 2nd waiving all fees, all in favor 4 to 0.
3. Moonlight Café request for clarification. Neal Hirsch asks about outdoor dining for his establishment. Village Counsel advises that the subject property is in the B-2 zoning district. Outdoor dining is only permitted by special use permit for businesses along Main Street (i.e. in the B-1 district). See Section 263-20(l)(5) of the Village Code. There is also an incentive zoning provision under the B-1 district pertaining to outdoor dining. See Section 263-9(K) of the Village Code. However, outdoor dining is not allowed in the B-2 district as a permitted, accessory or special use. See Section 263-10 of the Village Code. Therefore, they would have to obtain a use variance for outdoor dining, or a zone change, etc. and is advised to consult with a land use attorney to review their options regarding that use after there is a compliant site plan for that location. Also, one of the conditions in the special use permit addresses safety, which I would think may pose a particular concern in that area given the traffic flow, roads, and intersection. See Section 263-20(l)(5)(e) and Section 263-20(A)(3) of the Village Code. Trustee Gaspar says at present there is no compliant site plan and that is a prerequisite before any permits or applications can be considered.
4. Monthly Reports
 - 4.1. DPW Report Domenic Consentino delivers the DPW Report. Mr. Consentino forwarded a price quote for stormwater drainage pipe replacement. Trustee Boissonnault motions to approve the expenditure of \$5,945 to replace a stormwater drain line that is deteriorated beyond repair, which comes down the hill where Casino street used to be between Center Street and N. Main Street, Trustee Bryde 2nd all in favor 4 to 0. Trustee Gaspar motions to accept the DPW report for May, Trustee Boissonnault 2nd all in favor 4 to 0.
 - 4.2. Engineer’s Report – Todd Atkinson delivers the Engineer’s Report for May, copy attached to these minutes. Trustee Bryde motions to accept the Engineer’s report, Trustee Gaspar 2nd all in favor 4 to 0.
 - 4.3. Police Report – Chief Del Gardo Absent. May Report will be given with the June report at the second meeting in July.
 - 4.4. Code Enforcement - Report Bill Scorca delivers the Code Enforcement Report for May, copy attached to these minutes. Trustee Boissonnault asks about enforcement of overcrowding conditions. Mr. Scorca explains the processes and procedures involved with receiving complaints, witnessing conditions, gaining access, orders to

remedy, and violations to address overcrowding and other code violations. Trustee Boissonnault motions to accept the Code Enforcement Report, Trustee Bryde 2nd all in favor 4 to 0.

- 4.5. Planning Board Report – Rick Lowell delivers the Planning Board Report for May, copy attached to these minutes. Trustee Gaspar motions to approve the Planning Board Report, Trustee Bryde 2nd all in favor 4 to 0. Mr. Lowell also provides a copy of the Planning Board Resolution of June 19, 2018 regarding the Planning Board review of the Petition for Zoning Amendment Permitting Multi Family as a Special Exception Use in PB Zone, copy attached.
- 4.6. Zoning Board of Appeals Report – Todd Gianguzzi provided a Report of no Activity for May, 2018. Copy attached to these minutes. Trustee Gaspar motions to accept the Zoning Board of Appeals report of no activity, Trustee Bryde 2nd all in favor 4 to 0.
5. Court audit – Trustee Bryde met with Justice Court Clerk Jean Macli, reviewed the Court’s financial records and found everything in order. Trustee Gaspar motions to adopt Resolution No. 062018-1 approving the Court Audit and transmit the results to the Office of Court Administration as requested, Trustee Boissonnault 2nd all in favor 4 to 0.
6. Patterson letter of support for EMS department – Trustee Gaspar motions to provide a letter of support to be signed by Deputy Mayor Piccini for the application to become a permanent life support agency, Trustee Bryde 2nd all in favor 4 to 0.
7. Sewer Billing Arrears (45 day post quarterly billing list). We billed \$182,500, there is still 13.5% of that billing still outstanding which is typical and the non-payers are roughly the same repeat offenders. The recommendation is to determine and establish a repetitive collection process that we can administer in an orderly fashion and speed up the account receivable collection and improve cash flow performance. There is some guidance in our Village Code.
8. Village property appraisal – Trustee Gaspar motions to direct the Clerk & Treasurer to clarify the McGrath & Company Inc., for an appraisal on 208 Main Street, Trustee Boissonnault 2nd all in favor 4 to 0.
9. Correspondence sent & received for May. Trustee Bryde asks about the request for a joint application for the Brewster Shelter Partnership grant application that Putnam CAP plans to apply for in the CFA cycle. Clerk Hansen says we would more than likely be willing to put together a letter of support with the Board’s permission but there is no need to do a joint application as the Village does not play a part in the Shelter organization. Trustee Bryde motions to accept the May correspondence sent & received, Trustee Gaspar 2nd all in favor 4 to 0.
10. Minutes for approval;
 - 10.1. June 6, 2018 Regular Meeting – Trustee Bryde motions to approve the June 6, 2018 minutes, Trustee Gaspar 2nd all in favor 4 to 0.
11. Vouchers Payable – Deputy Mayor Piccini reviewed the vouchers and found everything in order.

11.1.	A - GENERAL FUND	\$34,767.48
11.2.	C – REFUSE & GARBAGE	18,835.44
11.3.	F - WATER FUND	9,956.50
11.3.1.	WATER REFUND	618.22
11.4.	G - SEWER FUND	70,018.70
<hr/>		
Total Vouchers Payable		\$134,196.34
- Trustee Gaspar motions to approve vouchers payable as written, Trustee Bryde 2nd all in favor 4 to 0.
12. Other Business
 - 12.1. Trustee Gaspar is working with Code Enforcement as a second set of eyes regarding compliance to local codes. Trustee Gaspar brings up change of tenant and change of use documentation to help Code Enforcement recognize change of use and change of tenancy as they arise.
 - 12.2. Trustee Bryde attended Flag Day at the Elks Club along with a good crowd and other officials. Trustee Bryde thanks the Clerk for the credit card status update. Trustee Bryde notes the “No Dogs” sign at Wells Park should probably be bigger.
 - 12.3. Trustee Boissonnault said we need to add “No Vaping” to “No Smoking” sign in Wells Park. Trustee Boissonnault thinks the Music Festival was a huge success and is very pleased for the Cultural Arts Coalition and the Village.
 - 12.4. Deputy Mayor Piccini says we need to talk about Village Matters and the content of the proposed Professional Business (PB) Zoning District Special Exception Use Permit in a Work Session on July 11, 2018 at 7:30 PM at 50 Main Street, Brewster, NY 10509, Trustee Gaspar 2nd all in favor 4 to 0.

- 12.5. Brewster Fall Festival – Clerk Hansen reminds the Board that we need content for Village table/booth as September 9th will be here in short order. Trustee Gaspar had mentioned revitalization renderings. Trustee Boissonnault may want some useful items for the public.

13. New Business

- 13.1. Trustee Gaspar would like to look at eliminating a parking space on the east side of Prospect Street at the Michael Neuner intersection in front of 24 Prospect Street because it causes limited sight distance and limited turning radius when it is occupied.
- 13.2. Trustee Bryde says there is a ribbon cutting ceremony for the new addition at the library on June 30th. Trustee Bryde provides signage from CTC “Don’t Vape” and asks the Clerk to post it on our bulletin board. Trustee Bryde said she attended the impaired driving simulator (Simulated Driving Impaired Experience) again this year and it was another event that impressed her greatly.
- 13.3. Trustee Boissonnault says there is a metal ring and manhole cover at the Carmel Ave Bridge on the Southwest side of the bridge. Trustee Boissonnault asks about street sweeping in the Village. Clerk Hansen says the last we heard from the Town Highway Supervisor is the street sweeper is out of commission and there is no schedule for repairing it. Trustee Boissonnault would like to get the streets swept during the good weather. Clerk Hansen will speak with Mr. Consentino and see what our options are. Trustee Boissonnault says the Village of Brewster Softball team won their division. The Board expresses their congratulations and offers a well done.
- 13.4. Deputy Mayor Piccini says that there is a three-way stop sign at the Michael Neuner intersection with Prospect Street and there is no stop sign for those coming up the hill from N. Main Street. However, people tend to stop on the uphill which causes inefficiency and creates a potential hazard. Perhaps a 3-way stop sign or some other way to notice the up-hill traffic that there is no stop sign should be addressed.

14. Public Comment

- 14.1. John Lord asks about setbacks for the zoning amendment. Deputy Mayor Piccini says there are setbacks included in the discussion as part of various other criteria that will be considered for adoption.

15. Trustee Bryde motions to adjourn, Trustee Boissonnault 2nd all in favor 4 to 0.

PARADE PERMIT APPLICATION

Applications shall be filed with the Village Clerk at least 60 Days in advance of the event and applicant is required to appear before the Board of Trustees at least 30 days in advance of the event:

Name of Parade Chairman: <u>KEN CLAER</u>		Telephone Number:	
Email: <u>FIREDOG 560 @ AOL YOK</u>		Cell Phone: <u>714-804-0851</u>	
Organization Name: <u>BREWSTER FIRE DEPT</u>		Org. Telephone Number: <u>279-3555</u>	
Organization Address: <u>501 NORTH MAIN ST</u>			
Head of Organization: <u>CHIEF MOE DECATIS</u>		Email:	
Parade Date: <u>7/26/18</u>		Rain Date: <u>NONE</u>	
Starting Time: <u>7 PM</u>		Ending time: <u>8: PM</u>	
Assembly Street and assembly time: <u>MARVIN AVE - 5:30 START</u>		Number of Participants: <u>20 FIRE COMPANIES</u>	
Details: <u>ANNUAL FIREMENS PARADE WILL HAVE SEVERAL OUTSIDE GROUPS JOINING US - REVIEWING STANDS ON MAIN STREET</u>			
Starting Point: <u>EAST MAIN ST</u>			
Termination Point: <u>NORTH MAIN BALL FIELDS</u>			
Parade Route: <u>EAST MAIN ST / I- TO MAIN ST - TO NORTH MAIN STREET</u>			
All information furnished on this form is true and complete to the best of my knowledge and belief.			
Signature of Applicant: <u>[Signature]</u>		Date: <u>6/14/18</u>	
Approved by Village Board of Trustees:		Date:	
Village Clerk, Peter B. Hansen:		Date:	
Recommendation of Brewster Police Department:			
BPD Signature:		Date:	
BPD to Notify:	Officer/Admin Name:	Date:	Name/method of Contact:
Fire Department:			
P: 279-3556 Fax: 279-8849			
Sheriff's Office:			
P: 225-4300			
Fax: 225-4154			
State Police:			
P: 279-6161			
Fax: 279-7046			

Failure to properly fill out this application or meet the requirements stated at the top of this form may result in denial of the permit application. Revised: December, 2011.

PARADE PERMIT APPLICATION

Applications shall be filed with the Village Clerk at least 60 Days in advance of the event and applicant is required to appear before the Board of Trustees at least 30 days in advance of the event:

Name of Parade Chairman: <u>RICHARD SKJERVI</u>		Telephone Number: <u>914 575 1655</u>	
Email: <u>SKJERVI@HOTMAIL.COM</u>		Cell Phone:	
Organization Name: <u>IGLESIA FUENTE DE GRACIA</u>		Org. Telephone Number: <u>845 279 9511</u>	
Organization Address: <u>2 MARVIN AVE</u>			
Head of Organization: <u>RICHARD SKJERVI</u>		Email:	
Parade Date: <u>8/5/18</u> Rain Date:		Number of Participants: <u>100</u>	
Starting Time: <u>9 AM</u> Ending time: <u>9 PM</u>		Number of Vehicles: <u>—</u>	
Assembly Street and assembly time:			
Details: <u>anniversary street fair IN front of church building</u>			
Starting Point: <u>IN front of 2 MARVIN AVE</u>			
Termination Point:			
Parade Route: <u>CORNER OF PARK ST and MARVIN to community parking exit</u>			
All information furnished on this form is true and complete to the best of my knowledge and belief.			
Signature of Applicant: <u>[Signature]</u>		Date: <u>6/6/18</u>	
Approved by Village Board of Trustees.		Date:	Permit Number:
Village Clerk, Peter B. Hansen:		Date:	
Recommendation of Brewster Police Department:			
BPD Signature:		Date:	
BPD to Notify:	Officer/Admin Name:	Date:	Name/method of Contact:
Fire Department:			
P: 279-3555 Fax: 279-8849			
Sheriff's Office:			
P: 225-4300			
Fax: 225-4154			
State Police:			
P: 279-6161			
Fax: 279-7046			

Failure to properly fill out this application or meet the requirements stated at the top of this form may result in denial of the permit application. Revised: December, 2011.

1. <u>GENERAL INFORMATION</u>		
Report No:	6 of 2018	Date: 6/20/2018
Facility Name:		VOB / Wastewater Treatment Plant and Collection System
2.	<u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineers Contract and Scope of Work including:	
a.	Activities completed this month (attach additional pages as needed)	
	<ul style="list-style-type: none"> The average daily flows at the plant in May were 134,000. 	
b.	Status of activities in progress this month (attach additional pages as needed):	
	<ul style="list-style-type: none"> Gentech performing coolant flush and replacing block heater at the Carmel Avenue Pump Station. Scheduled Darlington to repair RBC #2 brackets. Ordered SCADA computer and equipment. Earthcare completed the clean out of wet wells at Park St., N. Main St., Putnam Ave., Marvin Ave., and Rt. 22 pump stations. 	
c.	Activities scheduled (attach additional pages as needed):	
	<ul style="list-style-type: none"> Install SCADA equipment. Rebuild/repair CIP system. 	

1. <u>GENERAL INFORMATION</u>		
Report No:	4 of 2018	Date: 6/20/2018
Contract No:		
Facility Name: VOB / Tonetta Brook Marvin Avenue Headwall		
2. <u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineers Contract and Scope of Work including:		
a. Activities completed this month (attach additional pages as needed)		
<ul style="list-style-type: none"> Received NYCDEP Revocable Land Use Permit on May 31, 2018. May 23, 2018 - Accepted Soiltesting, Inc. proposal to conduct subsurface soil investigations. Cost approved by Village Board \$9,125.00 Met onsite with NYSDEC representatives on June 14, 2018. 		
b. Status of activities in progress this month (attach additional pages as needed):		
<ul style="list-style-type: none"> Address comments received on May 21, 2018 from the USACOE regarding Stream Disturbance Application. Awaiting comments from NYSDEC on Stream Disturbance Application. Soiltesting, Inc. to begin subsurface soil investigations the week of June 25, 2018. 		
c. Activities scheduled (attach additional pages as needed):		
<ul style="list-style-type: none"> Complete soil borings Complete Survey 		

VILLAGE OF BREWSTER MONTHLY PROGRESS REPORT

1. <u>GENERAL INFORMATION</u>		
Report No:	6 of 2018	Date: 06/20/2018
Facility Name: VOB / PLANNING BOARD REVIEW AND CONSULTATION		Contract No:

2.	<u>ENGINEERS STATUS OF PROJECT</u> (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including:
a.	Projects reviewed this month (attach additional pages as needed)
	<ul style="list-style-type: none"> 530 North Main Street - .5 hours Route 22 Brewster LLC (Getty Station) - 2.5 hours B.O.S. Land Development - 1 hour Brewster Honda – 3 hours
b.	Status of Planning Board projects (attach additional pages as needed):
	<ul style="list-style-type: none"> B.O.S. Land Development – Scheduling a meeting with the NYCDEP Brewster Honda – Punchlist Closeout Route 22 Brewster LLC (Old Getty Station) – Construction Ongoing 538 North Main Street – Construction Ongoing/Amendment being proposed
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> Continue plan review and meetings for B.O.S. Land Development Perform Close-Out Inspections on Brewster Honda Site, when needed. Perform site inspections on Route 22 Brewster LLC (Old Getty Station) Site, when needed. Perform site inspection at 538 North Main Street, when needed.

**VILLAGE OF BREWSTER
MONTHLY PROGRESS REPORT**

1. GENERAL INFORMATION		
Report No: 6 of 2018	Date: 6/20/2018	Contract No:
Facility Name: VOB / EPA Stormwater Phase II Regulations		

2. ENGINEERS STATUS OF PROJECT (Narrative description of the Upgrade Project tasks (and subtasks) undertaken by the Engineer as set forth in the Engineer's Contract and Scope of Work including :	
a.	Activities completed this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Maintained monthly stormwater maintenance/good housekeeping reports quantifying the number of pounds of litter and the amount of sand cleaned up throughout the Village.
b.	Status of activities in progress this month (attach additional pages as needed):
	<ul style="list-style-type: none"> • Submitted NYSDEC Annual Report to NYSDEC on May 24, 2018.
c.	Activities scheduled (attach additional pages as needed):
	<ul style="list-style-type: none"> • Await comments on Annual Report from the NYSDEC.

MAY, 2018 Code Enforcement Report



VILLAGE OF BREWSTER
50 MAIN STREET
BREWSTER, NY 10509
(845) 279-3760

MAY, 2018 SUMMARY REPORT

BUILDING FEES =	\$1,015
SAFETY INSPECTION =	1,275
PROPERTY REGISTRATION:	<u>0</u>
TOTAL FOR MAY =	\$2,290

PERMITS: 3

VIOLATIONS: 11

TOTAL COs, CCs: 1

INSPECTIONS 5

PROPERTY REGISTRATION PENDING: 1

VILLAGE OF BREWSTER, NY

REPORT OF THE PLANNING BOARD

TO THE BOARD OF TRUSTEES

June 6, 2018

Rick Lowell, Chairman
Rick Stockburger, Vice-Chairman
David Kulo
Janet Ward
Marti Foster

Greg Folchetti, attorney- Costello & Folchetti
Todd Atkinson, PE – J.R. Folchetti & Assoc.
Cathy Huidina, secretary

Meeting Date: May 29, 2018 7:30pm

Agenda: Proposed Dominos Pizza, 162 Main St.; proposed new building at 530 N. Main St.
Present: Rick Lowell, Janet Ward, Marti Foster, Todd Atkinson, PE, Cathy Chuidina, sec'y.

Special Meeting called in place of regularly scheduled meeting of May 15, 2018, cancelled due to the storm of that date.

Mr. Folchetti, the planning board attorney, was unable to attend, therefor, the Chair announced at the outset that no decisions would be voted.

162 Main St.: Use proposed is a Dominos Pizza restaurant with seating for 4 persons. It is anticipated that 70% of product will be picked up by consumers and 30% will be delivered by staff. Owner Milli Bhuyan proposes to utilize about half the first floor space and to rent the other half.

Much of the discussion centered upon the parking situation. It is assumed by the proposer and by the board that this use will be supported by a great deal of vehicular traffic as patrons pick up their food orders and staff come and go with pizza deliveries. The owner stated (through her attorney Michael Liguori) that there exist 8 parking spaces in front of the property. Further, she stated that she has permission from a deli store across the street and from the gas station further east on Main St to use parking spaces on those properties, although there is no written agreement with either of the owners. She avers that deliveries via semi tractor-trailer can be made instead via a smaller box truck if the size of the vehicle double-parking on Main St. is a problem. Those deliveries would be scheduled to occur in the early morning hours, after the store closes at about 1AM weekdays, 2AM Friday and Saturday. She argues that the parking/delivery situation at this location is reflective of the situation faced by other businesses on Main St. which do not have parking lots of their own.

During discussion it was learned from Mr. Atkinson that: A) The state DOT took property along the north side of Main St. during renovation of Main St. years ago, resulting that about the outside half or more of each of the proposed nose-in parking spaces in front of the building would be on DOT property, and have been since the taking by the state. This raised concerns due to the great increase in traffic anticipated by this proposed use over the past volume. B) The existing spaces are improperly marked and the legal definition of a parking space would require spaces to be 9 feet wide by 20 feet deep with 4 feet between the curb and building. This

would cause the spaces to be moved back from the building and further onto DOT property and even into traffic flow.

C) A corrected nose-in parking plan for this space might allow for only 6 spaces across the whole front of the property; allowing 3 for the residential tenants and 3 for a potential use by a commercial tenant on the western end of the building, allowing access paths of 3-4 feet wide for each of two to three building entrance/egresses may allow none for the proposed use. Such spaces would intrude upon DOT property and into the west-bound traffic lane of Main St.

530 N. Main St.: Use proposed is a multi-family multi-story residential apartment building on the site of a single-story commercial building. Proposer, option holder Dr. Nasser Aqeel, proposes to demolish the existing building and to build a stepped 3-story all residential building of twelve apartments.

Discussion centered on two areas: Footprint of the proposed building on the property, and entrance/egress from the building parking area. It was proposed that the building itself would be placed back from N. Main St. sufficiently to allow a parking area for 19 cars in front on N. Main, with ingress/egress on Wells St., nearly as it exists today.

Architect Mr. P. Scott stated that the village board had expressed satisfaction with the proposal for parking in front of the building when presented with that plan at an earlier meeting of that board. Planning board members expressed a preference that the building be located so as to front on N. Main St. with all parking at the rear, and that if Wells St. were to be the access artery, that ingress be near the present driveway location and that egress be nearer the rear of the property, close to the top of the lower half of the Wells St. hill, to allow for safer viewing angles by building residents exiting as well as by vehicles transiting the hill. Another possibility suggested is that a means be found to locate the building so that rear parking with access in/out from N. Main St. at the southern edge of the property, just under 100 feet from the Wells/N. Main intersection.

Board members expressed a preference that the building be located so as to front on N. Main St. because they see this project as a model for future development on this section of N. Main St. Current zoning law requires that properties in this zone must develop parking at the rear area of each property, behind the building. The board wishes to promote uniform development in this area, not to allow spot-zoning or exceptions which will spawn future challenges to village code. The board believes it is desirable that properties in this area should, when development occurs, share certain characteristics in order to express a character or atmosphere congruent with the vision that Brewster has expressed for itself in its Comprehensive Plan, anticipating future development all along the Main St./N. Main St. corridor.

Proposer understands that a zoning law change is required.

Meeting closed at about 9:00 pm.

Respectfully,

Rick Lowell
Chairman

**RESOLUTION OF THE
PLANNING BOARD OF THE VILLAGE OF BREWSTER
JUNE 19, 2018
PETITION FOR ZONING AMENDMENT
PERMITTING MULTI FAMILY USE IN PB ZONE**

REPORT PURSUANT TO VILLAGE CODE §263-35(B)

WHEREAS, the Board of Trustees of the Village of Brewster has referred a certain petition for zoning amendment seeking Multi-Family Use as Special Condition in PB (Professional and Business Office Zone) to the Village of Brewster Planning Board for review and recommendation pursuant Village Code §263-35(B); and

WHEREAS, the Village Planning Board has reviewed the matter and conducted due deliberation thereon;

NOW THEREFORE BE IT RESOLVED, that pursuant to Village Code §263-35(B), the Village of Brewster Planning Board hereby determines and makes a positive recommendation in favor of approval of the proposed zoning amendment with the following conditions:

1. That the minimum front yard setback be 0 (zero) feet;
2. That the minimum side yard setback be 15 (fifteen) feet;
3. That the maximum lot coverage be 40 (forty) per cent;
4. That all other bulk zoning requirements contained within a certain statement of use dated May 20, 2018, which are not specifically addressed in conditions number 1 through 3 above remain unchanged.

BE IT FURTHER RESOLVED that this resolution shall have an effective date of June 19, 2018.

**PLANNING BOARD
VILLAGE OF BREWSTER**



Chairman

June 20, 2018

Dated:

This Resolution Was Thereupon Duly Adopted

June 18, 2018

Attention: Peter Hansen & Village Trustees

Reference: May ZBA Activity

Please be advised that there were no meetings pertaining to the ZBA in May.

Best Regards,

Todd Gianguzzi ZBA, Chairman